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C O N F I D E N T I A L SECTION 01 OF 03 THE HAGUE 001793

SIPDIS

IO FOR LAGON; DRL FOR KOZAK; GENEVA FOR DELAURENTIS

E.O. 12958: DECL: 07/14/2014

TAGS: [PREL](#) [ECON](#) [PHUM](#) [KDEM](#) [AORC](#) [NL](#) [CH](#) [UN](#)

SUBJECT: EU/US COOPERATION IN THE UNGA AND ON...

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SUBJECT: EU/US COOPERATION IN THE UNGA AND ON HUMAN RIGHTS

REF: A. STATE 153876

1B. THE HAGUE 1737

Classified By: CLASSIFIED BY ANDREW SCHOFER, POLCOUNS, FOR REASONS 1.4
AND D

11. (C) SUMMARY: The Dutch are deeply committed to the Transatlantic Dialogue, a successful EU Presidency, and leadership during the UN Gene Assembly that values USG input if not always agreeing with it. In discussions with DRL PDAS Kozak and IO DAS Lagon on July12 - 13, Dutch interlocutors acknowledged Chinese backsliding on human rights in the 1 six months but did not expect this to influence EU thinking on lifting China Arms Embargo. Dutch MFA and NGO officials remain terribly troubled by Abu Ghraib and welcomed USG clarification regarding the status of Guantanamo prisoners. The Dutch agreed to collaborate on a US-EU package of agreed language to settle references to contentious issues in Third Committee resolutions. USDel signaled new flexibility UN Commission on Human Rights elections, prompting the Dutch to agree to restart WEOG negotiations. Sudan, Chechnya, Iran, Burma, Turkmenistan, and Zimbabwe seem likely subjects for Third Committee resolutions, while Belarus and Uzbekistan are not. End summary.

12. (U) China, Guantanamo, human rights and a range of United Nations issues were the agenda in The Hague, June 12 - 13, for DRL PDAS Michael Kozak's and IO DAS Mark Lagon's meetings with Dutch MFA officials. MFA interlocutors included Special Ambassador for Human Rights Piet de Kler Deputy Political Director Hermann Schaper, Human Rights Director Adanna Adema, and Director of the UN Department Karel van Kesteren. The DCM hosted an NGO reception and Lagon briefed a large group of university students on U.S. Human Rights concerns and multilateral issues generally

CHINA ARMS EMBARGO AND BACKSLIDING ON HUMAN RIGHTS

13. (C) Amb. de Klerk will travel to China soon to review the human rights situation. Schaper reminded USDel that the EU's embargo was a specific response keyed to Tiananmen Square. It was not intended as retaliation for human rights issues generally and was not imposed for military considerations, although both concerns now prompt the USG push for maintaining the ban. He admitted Chinese backsliding over the last six months caused concern but stressed that this in itself was not a sufficient argument for maintaining the embargo.

14. (C) The Dutch said that the next senior EU discussion of China in September would focus on the last couple of years of Chinese actions. EU will examine whether their China dialogue has made a difference on the ground. The Dutch shared elements from the EU decision matrix:

a. The EU does not want the embargo to stand in the way of overall better relations.

b. Human rights is but one issue here; the question is more than is the glass half full or half empty. There are more glasses on the table. There has been recent backsliding, but overall the situation has improved over the last 15 years. The embargo was a response to Tiananmen Square

c. The EU does not expect to export its best weapons to China should the ban be lifted, and it does not want European weapons to be used or deployed against U.S. forces.

d. What effect would lifting have on the US presidential elections; and would it lead to Euro-bashing that would embarrass the Dutch EU

Presidency, for example.

15. (C) PDAS Kozak disputed the Dutch assertions regarding China's improved human rights record and shared recent examples of China's unfulfilled commitments. A dialogue without results was pointless, he stressed. Regarding Tiananmen, Chinese restraint from running people over with tanks in recent years could not justify lifting. He suggested the US should take a closer look at the status of those who were punished for Tiananmen, if resolution of that issue is the threshold for lifting.

16. (SBU) USDel and NGO reps, meeting later at the DCM's residence, brainstormed ideas for trying to use public opinion to deflect what looked like a pending EU decision to lift the ban. One idea that resonated was to hold a European NGO forum on the Chinese human rights situation early in the fall.

GUANTANAMO AND OTHER DETAINEES IN THE WAR ON TERROR

17. (C) Dutch MFA officials and NGO reps remained terribly troubled by what happened at Abu Ghraib and were clearly hungry for the latest information on the status of all detainees (ref b). Discussions of the new Cuba resolution in ECOSOC (ref b) led to thinking about how to a discussion of how improve Dutch and EU public opinion, including development of new public affairs products or informal visits to Guantanamo by an EU or EU Presidency rep. USDel did not commit to these proposals but promised to study options.

THE UNITED NATIONS GENERAL ASSEMBLY

18. (U) UN Priorities for 59 UNGA
The USG's UNGA priorities paper has inspired the EU to devise a concise working paper of their own, the Dutch told us. They promised to study UNGA priorities (septel) and offered to review the EU list with us late in the week as well (septel).

19. (C) Working together at the UNGA - Third Committee

USDel committed to sending the EU a draft package of agreed language to settle references in resolutions to contentious issues in the Third Committee, including how to refer to the International Criminal Court, death penalty, and the Convention on the Rights of the Child, among others. The Dutch agreed to vet our draft at the EU's September COHUM (working group on human rights) and to arrange a bilateral meeting, if needed, to work out problems. This might be in Brussels on or about October 1, or in Warsaw around the same time.

110. (C) Country specific issues included:

- Sudan: We agreed to wait to see what the Security Council would do before considering Third Committee action to follow on the UNCHR resolution. (Sudan is discussed in more detail below).

- Burma: We agreed there is a need to have Third Committee action.

- Turkmenistan: The EU wondered if it made sense to table another resolution this year. Not doing so might send the wrong signal. On the other hand, we are trying to streamline the UN agenda. The EU suggested we could run one last resolution and announce that henceforth we would focus on action in the UNCHR.

- Zimbabwe: USDel offered to support any British action in New York if they want to have a resolution there.

- Belarus and Uzbekistan: We agreed that there is no need for Third Committee action since rapporteurs have been already been assigned.

UN REFORM

111. (C) Reformed and better UN

Geopolitical reality and strategic practicality inspire the Netherlands' devotion to the multilateral system with an active, constructive, and reformed UN at the center, Schaper said. The upcoming review of the Millennium Development Goals is a natural deadline for UN reforms. DAS Lagon assured him that the US is as committed to building up the UN as have been to reforming it, however we cannot single-handedly reach the goal of a UN living up to its original purposes.

112. (C) The Dutch do not want UN reform to stall over Security Council enlargement. They favor, eventually, one EU seat. The MFA working level however, opposes Germany's SC seat bid, but publicly the MFA has had to go along for now. On voting, the Dutch have proposed to SYG Annan a voting weight system as follows: 1/3 based on being a member of the UN; 1/3 based on population; and 1/3 based on the total amount of assessed and voluntary contributions to the UN.

113. (U) Community of Democracies/Democracy Caucus

In courting the wary Dutch to become involved, we reassured them that the Democracy Caucus (DC) would augment, not compete, with traditional, long-standing groups. Admitting the idea has theoretical merit, the Dutch remained curious about how the Caucus would admit borderline members. noted that UN PermRep Danforth cited the DC in his confirmation hearing and thought it a useful tool not limited to use in human rights but also good for development issues, UN reform, and so on.

14. (C) UNCHR Elections

We signaled U.S. readiness to restart negotiations over an agreed WEOG slate for UNCHR elections, with new flexibility on forgoing membership two years, rather than one, out of 21. Van Kesteren, co-chair (with the Canadians) of earlier negotiations on this issue, agreed to explore restarting negotiations based on this welcome information. He added that the U.S. might end up having to relinquish three years to get a deal. added that, after the Security Council, membership on the UNCHR was a valuable prize for many states. DAS Lagon reported the French seemed prepared to work it out so WEOG could focus on substance and discourage the current practice of vote trading with undesirable countries from other regions. Finally, van Kesteren fingered Austria as a problem country that insisted on maintaining their position based on the established pattern Commission membership.

15. (C) Sudan

The Dutch felt the time was ripe for a SC resolution on Sudan. There were serious problems with both sides and sanctions might be appropriate. I reviewing the earlier, troublesome Geneva negotiations on the Sudan resolution and what to do in the Third Committee, the Dutch predicted New York discussions would again be a triangle between the U.S., EU and African Union (AU). USDel urged the EU to avoid surprises like the deal it cut with the AU behind our backs on the last day of talks in Geneva. We agreed it would be useful to try to split the AU members by peeling South Africa and other AU members chafing under the AU's lowest common denominator protection of Sudan. There was consensus not to let discussion of the genocide question delay or thwart more immediate action.

16. (SBU) NGOs suggested that finding a political solution should be higher on the agenda. The rep from Doctors Without Borders complained that the NGOs are under new threats because both government and rebels object to their perceived sharing of information from the field with the outside world. PDAS Kozak regretted that information sharing caused problems, and said it is important for the GOS to know we are collecting facts so as to hold them accountable.

17. (SBU) Chechnya

NGOs believed the international community has increasingly abandoned Chechnya and that the situation has become more criminalized in the last four years. Dutch MFA officials had earlier admitted that the EU has a bloody nose on this intractable issue. PDAS Kozak reassured NGOs that we raise Chechnya with the Russians all the time and have not let terrorism get in the way of promoting human rights.

18. (C) Iran

The Dutch reported a meeting the EU had in Teheran three weeks ago where academics and officials discussed police, prisons, and the legal system. Discussions were much more uniform than half a year ago since opposition parliamentarians were absent. There are serious questions on whether to continue the dialogue and there will be a decision by early October, they told us. The Dutch reminded USDel that they see the non-proliferation issue as part of a broader relationship with Iran that includes expanding business opportunities.

MEETING WITH UNIVERSITY STUDENTS

19. (U) DAS Lagon had a cordial dialogue with 25 student leaders from Dutch universities who asked about the U.S.'s lack of participation with the ICC, its support of Israel in the Israeli-Palestinian conflict, its perceived unilateral approach to the war in Iraq, and its treatment of human rights in the broader war on terrorism. Praising the EU's culture of dialogue as a model for other nations, Lagon cautioned that American realpolitik is a reaction to a belief that the rest of the world has a less mature approach to international relations. Lagon warned that the extended process of seeking consensus often delayed urgent action. Rejecting allegations of U.S. unilateralism, Lagon described America's involvement in many multilateral efforts. Public diplomacy could reverse impressions of American unilateralism and build greater consensus for U.S. actions. He suggested exchange programs, greater awareness by American politicians of their global audiences, and discussions such as the one was currently having were important elements in such a strategy.

COMMENT

20. (C) Commitment to the Transatlantic Dialogue underlies much of the Dutch UN agenda during their EU Presidency. Their exchanges with the USDel were productive, showed flexibility and receptiveness to US ideas and a drive to find consensus while doing their duty for national and EU positions. Their promise to work more closely on the Sudan human rights resolutions in New York was welcome and signaled good intentions on the wider range of issues. On the other hand, their narrowing of the China arms embargo debate to Tiananmen Square left us little room to argue the larger human rights and military points of the issue. Immediately on Guantanamo and longer term in general, the Dutch public remains receptive to fresh public diplomacy efforts providing information they can use to justify alignment with U.S. positions.

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